IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION (MAIN) NO. 354 OF 2006

SHRI ROSARIO D'SOUZA, PRESENTLY IN JUDICIAL CUSTODY, SUB JAIL SADA GOA. ....Appellant

Versus

STATE ....Respondent

Mr. Arun Bras De Sa, Advocate for the Applicant.
Ms. Winnie Coutinho, Public Prosecutor for the Respondent/State.

Coram:- N. A. BRITTO, J.

Date:- 8th November, 2006

P.C.:-

Heard Mr. Arun Bras De Sa, the learned Counsel on behalf of the applicant/accused and the learned Public Prosecutor Ms. Winnie Coutinho on behalf of the respondent/State.

Considering the facts and circumstances of the case the impugned Order dated 16-10-2006 of the learned Sessions Judge, Panaji is hereby set aside and the prayer of the accused in his application dated 7-4-2006 before the learned Additional Sessions Judge, Panaji for the recall of PW35 is granted subject to the applicant/accused depositing travelling expenses including D.A. to be fixed by the learned Additional Sessions Judge.

N. A. BRITTO, J.

RD.